

05 February 2020



The Manager
National Interests Section
Australian Communications and Media Authority
PO Box 13112 Law Courts
Melbourne Victoria 8010
Via email: EmergencyCallServices@acma.gov.au

Re: Telecommunications (Emergency Call Service) Amendment Determination 2020 (No. 1)

ACCAN thanks the ACMA for the opportunity to contribute to its consultation regarding the proposed amendments to the Telecommunications (Emergency Call Service) Determination 2019 in response to issues raised by the Senate Standing Committee for the Scrutiny of Delegated Legislation.

ACCAN is supportive of the proposed amendments which will repeal the no-validity clauses in subsections 31(9) and 50(9). Furthermore, in the interest of transparency and comprehensibility, ACCAN agrees that references to documents that are not publicly available should be amended. However, in repealing and amending these sections of the Telecommunications (Emergency Call Service) Determination 2019 (the ECS Determination) it is vital that the existing obligations on the Emergency Call Persons are not weakened.

For instance, we recommend that the existing requirement on the Emergency Call Persons to use a common system remains. Inserting section 55(2)a from the current ECS Determination into the start of the newly drafted section 38 could help to reiterate this ongoing requirement. This would result in section 38 being redrafted as follows:

38 Requirement to use common system and provide assistance

- (1) For an emergency call to the emergency service number 000, 112 or 106, the call must be handled in accordance with the common system.**
- (2) An emergency call person must, as far as practicable, use the common system to:
 - (a) answer an emergency call made to the emergency call service operated by the person; and
 - (b) transfer the emergency call to the appropriate emergency service organisation.
- (3) The emergency call person for 000 and 112 must:

*Australian Communications Consumer Action Network (ACCAN)
Australia's peak body representing communications consumers*

PO Box 639, Broadway NSW 2007

Tel: (02) 9288 4000 | Fax: (02) 9288 4019 | Contact us through the [National Relay Service](#)

www.accan.org.au | info@accan.org.au | twitter: [@ACCAN_AU](#) | www.facebook.com/accanau

- (a) share access to the common system with the emergency call person for 106 for use in relation to calls made to the emergency service number 106; and
- (b) give the emergency call person for 106 such assistance as is required to ensure that:
 - (i) the emergency call person for 106 has access to the most precise location information available when a call-taker receives a call made to the emergency service number 106;
 - (ii) the call-taker is able to give that information to the appropriate emergency service organisation in the course of relaying the call to the organisation; and
 - (iii) if, after the emergency service organisation has dealt with the call, the organisation asks the emergency call person for 106 to give it information about the call (including the name of the carriage service provider who supplied the emergency telephone service on which the call was made), the emergency call person for 106 is able to give the information to the organisation.

In regards to the redrafted sections 53 and 55, ACCAN recommends that these sections be reviewed with the goal of ensuring greater specificity and transparency. This would involve the removal of references to ‘all reasonable steps’ and actions that are to be taken ‘as soon as practicable’ in favour of listing specific actions that are to be taken within strict timeframes. Given that the arrangements between the Emergency Call Persons and the IPND Manager, and the Communication protocol would have required the Emergency Call Persons to stipulate timeframes for certain actions, we feel that this information should be easily incorporated into the ECS Determination. This would, for instance, help inform consumers about the timeframes within which they would be notified if their ability to access the emergency call service was affected by a disruption.

Finally, while we understand the reference to ‘the Department’ in section 55(4)c to relate to the Department of Infrastructure, Transport, Regional Development and Communications, this abbreviation is not currently defined within the ECS Determination. We suggest that the full name of the Department be inserted to prevent any confusion.

ACCAN thanks the ACMA for the opportunity to provide our feedback. We believe that the above changes would help make the ECS Determination stronger and clearer. Please do not hesitate to contact us should you require clarification or additional information on any of the issues raised in our submission.

Yours sincerely,

Meredith Lea
Disability Policy Adviser